

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) Civil Action No. 04-12024-RGS  
ONE 2001 TOYOTA SEQUOIA, BEARING )  
VEHICLE IDENTIFICATION NUMBER )  
5TDBT48A31S055061, and )  
MASSACHUSETTS REGISTRATION NUMBER )  
7655YI, and ONE 2003 LEXUS SC430, )  
VEHICLE IDENTIFICATION NUMBER )  
JTHFN48Y130045173, and )  
MASSACHUSETTS REGISTRATION NUMBER )  
42MS06, )  
Defendants. )

**MOTION FOR ENTRY OF DEFAULT**

The United States of America, by and through its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby requests that default be entered pursuant to Rule 55(a) of the Federal Rules of Civil Procedure against Erick J. Donis and Jenny Jazmin Saenz, and all other persons claiming an interest in the defendant vehicles, described as one 2001 Toyota Sequoia, Vehicle Identification Number 5TDBT48A31S055061, and Massachusetts Registration Number 7655YI, registered in the name of Erick Donis, and one 2003 Lexus SC430, Vehicle Identification Number JTHFN48Y130045173, and Massachusetts Registration Number 42MS06, registered to Toyota Motor Credit Corporation, and leased to Erick Donis (the "Defendant Vehicles"), for failure to file an answer or otherwise

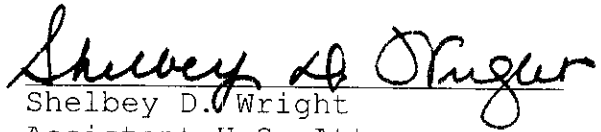
to defend, as provided for in Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims.

In support of this application, the United States submits the attached Affidavit.

Respectfully submitted,

UNITED STATES OF AMERICA  
By its attorneys,

MICHAEL J. SULLIVAN  
United States Attorney

By:   
Shelbey D. Wright  
Assistant U.S. Attorney  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: 12/23/04

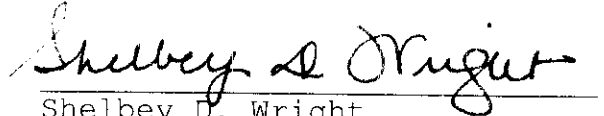
SO ORDERED AND ALLOWED

\_\_\_\_\_  
RICHARD G. STEARNS  
United States District Judge

Date: \_\_\_\_\_

CERTIFICATE OF SERVICE

I, Shelby D. Wright, Assistant U.S. Attorney, hereby certify that a true copy of the foregoing Motion for Entry of Default, as well as the Affidavit in Support of Motion for Entry of Default, were served upon Gerry D'Ambrosio, Esquire, as Counsel for Erick Donis, D'Ambrosio Law Offices, 14 Proctor Avenue, Revere, MA 02151, and Jenny Jazmin Saenz, 15 Abruzzi Street, Revere, MA 02115, by first class mail, postage prepaid.

  
Shelbey D. Wright  
Assistant U.S. Attorney

Dated:

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